

**BYLAWS OF
THE SAN BERNARDINO COUNTY
INDIAN GAMING LOCAL COMMUNITY
BENEFIT COMMITTEE**

Adopted April 8, 2004

ARTICLE I

AUTHORIZATION

SECTION 1: Jurisdiction

The San Bernardino County Indian Gaming Local Community Benefit Committee ("Committee") serves the geographic and political entity known as the County of San Bernardino.

SECTION 2: Purpose

The Committee is established pursuant to Paragraph (1) of subsection (b) of Section 12715 of the California Government Code. It is the responsibility of the Committee to facilitate the distribution of appropriations from the Indian Gaming Distribution Fund by selecting those grants from each Individual Tribal Account or County Tribal Casino Account that will be applied toward the support of local government agencies within the County impacted by tribal gaming.

SECTION 3: Authority

Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of the California Government Code).

SECTION 4: Definitions

As used in these bylaws:

“Casino” means a gaming establishment operated by an Indian tribe within the County of San Bernardino.

“Committee” means The San Bernardino County Indian Gaming Local Community Benefit Committee.

“County Tribal Casino Account” means an account consisting of all moneys paid by tribes situated in the County of San Bernardino into the Indian Gaming Special Distribution Fund after deducting amounts appropriated to specified priorities.

“Indian Gaming Special Distribution Fund” means the fund created in the State Treasury by that name for the receipt and deposit of moneys received by the State of California from Indian tribes pursuant to the terms of the tribal-state gaming compacts, available for appropriation to mitigate the off-reservation impact of Indian gaming.

“Individual Tribal Casino Accounts” means accounts for each individual tribal casino that has paid money into the Indian gaming Special Distribution Fund, funded in proportion to the amount that the individual tribe has paid into the Indian Gaming Special Distribution Fund.

“Local Jurisdiction” means any city, county, or special district.

“State Controller” means the Controller of the State of California.

“Tribal Gaming” means gaming operated at a casino by an Indian tribe within the County of San Bernardino.

ARTICLE II

MEMBERSHIP

SECTION 1: Appointment and Representation

The Committee shall be composed of seven (7) members consisting of the following:

- a. Two (2) representatives from the County, appointed by the County Board of Supervisors;
- b. Three (3) elected representatives from cities located within four (4) miles of a tribal casino in the County, appointed by the County Board of Supervisors. In the event that there are no cities within four (4) miles of a tribal casino in the County, other local representatives may be selected

upon mutual agreement by the County Board of Supervisors and a majority of the tribes in the County paying into the Indian Gaming Special Distribution Fund. When there are no cities within four (4) miles of a tribal casino in the County and paying into the Indian Gaming Special

Distribution Fund, other local representatives may be selected upon mutual agreement by the County Board of Supervisors and a majority of the tribes operating casinos in the County; and

- c. Two (2) representatives selected upon the recommendation of a majority of the tribes paying into the Indian Gaming Special Distribution Fund in the County. If there are no tribes in the County paying into the Indian Gaming Special Distribution Fund, the two representatives may be selected upon the recommendation of the tribes operating casinos in the County.

SECTION 2: Terms of Office

Except for the very first initial appointment of four (4) Committee members to allow for staggered terms, members' terms of office shall be four (4) years expiring on June 30 of the appropriate years and subsequent new terms shall begin July 1 of that year. The terms shall be staggered so that no more than two thirds (2/3) of the terms of the total number of members of the Committee shall expire in any one (1) year period. Committee members may be removed from the Committee at any time by a majority vote of the County Board of Supervisors, except in cases where the County Board of Supervisors is not the sole appointing authority (in which case such regular appointing authority may exercise this power of removal).

SECTION 3: Alternate Representatives

There shall be three (3) alternate representatives appointed to serve on the Committee in the absence of appointed Committee members. One (1) alternate from the County shall be appointed by the County Board of Supervisors to serve in the absence of a Committee member from the County for a four-year term. One (1) alternate elected representative from cities located within four (4) miles of a tribal casino in the County shall be appointed by the County Board of Supervisors to serve in the absence of a Committee member from cities for a four-year term. One (1) alternate representative from tribes paying into the Indian Gaming Special Distribution Fund in the County shall be appointed by a majority of the tribes paying into the Indian Gaming Special Distribution Fund in the County to serve in the absence of a Committee member selected upon the recommendation from tribes for a four-year term. If no tribes in the County are paying into the Indian Gaming Special Distribution Fund, this alternative may be selected upon mutual agreement by the County Board of Supervisors and a majority of the tribes operating casinos in the County.

SECTION 4: Election of Chairperson and Vice-Chairperson

A Chairperson and a Vice-Chairperson shall be elected annually from the voting members of the Committee at the first meeting of each fiscal or program year by a simple majority of the committee members present. The Vice-Chairperson shall assume the responsibilities of the Chairperson in his/her absence.

SECTION 5: Vacancies of Committee Members and Alternate Representatives

Upon the occurrence of any vacancy of a Committee member or of an alternate representative, appointment of a new representative selected to fill that Committee member's or alternate representative's position for the remainder of his/her unexpired term of office shall be in the same manner as that used in the original appointment of the departing Committee member or alternate representative. A resigning Committee member or alternate representative shall submit his/her original written resignation to the Clerk of the Board of Supervisors. The Chairperson is responsible for immediately notifying the Clerk of the Board of Supervisors of any unscheduled vacancies. The Chairperson will provide the Board of Supervisors with written notification of vacancies and the Board of Supervisors will take the necessary action to declare the position vacant and fill the position.

The absence of a Committee member from two (2) consecutive meetings of the Committee may be cause for the Chairman of the Committee to contact the Committee member to discuss participation in the meetings. Whenever a Committee member fails to attend two (2) consecutive meetings or three (3) total meetings in a fiscal or program year, without good cause entered into the minutes, the Committee Chairman may correspond with the Chairman of the Board of Supervisors and recommend that the Committee member be removed from the Committee.

SECTION 6: Quorum

A minimum of four (4) members is required for a meeting to be called. A quorum is requisite for the transaction of any business of this Committee.

SECTION 7: Voting

Each Committee member shall have one (1) vote and shall not have the right to accumulate votes. A majority vote with a quorum in attendance shall be required to take action on a matter before the Committee.

ARTICLE III

MEETINGS

SECTION 1: Regular Meetings

Before June 1, 2004, the Committee shall meet monthly, at a time and location to be determined by the Committee. After June 1, 2004, the Committee shall meet quarterly, at a time and location to be determined by the Committee.

SECTION 2: Special Meetings

Special meetings may be called at the discretion of the Chairperson or at the request of two of the members from different entities as needed. Special meetings should only be called when urgent action is required by the Committee that cannot wait to be considered at a regularly scheduled meeting. Whenever possible, Committee members must be given at least five (5) working days advance notice, in writing, of all special meetings. For special meetings there must be a representative from each group of appointed Committee members (county, city, tribal) in attendance.

SECTION 3: Notice of Meetings

Notice of all Committee meetings shall be made to members and member agencies at the location provided to Committee staff by the member agency. A facsimile transmission sent to the location designated shall be deemed sufficient for meeting notice purposes.

SECTION 4: Meeting Announcements

Pursuant to the Brown Act, all meetings of the Committee shall be open to the public and notices of the meeting posted in a location fully accessible to the public seventy-two (72) hours before the meeting.

SECTION 5: Meeting Agendas

Meeting agendas, for all scheduled Committee meetings, shall be transmitted in advance, in writing, to all Committee members and other interested persons who have submitted a request for meeting agendas in writing. Proposed agenda items shall be submitted, in writing, to the administrative staff no later than ten (10) days prior to a scheduled meeting. Agendas will be prepared by County staff, in cooperation with the Chairperson. Where appropriate and feasible, written backup information should be

submitted concurrently with the proposed agenda items for advance distribution to Committee members. There shall be a notation on the agenda for public comments. Agendas should be mailed to Committee members seven (7) days prior to the next scheduled meeting.

SECTION 6: Meeting Commencement

All Committee meetings will begin at the time stated on the agenda. If a quorum is not present at the designated starting time of the meeting, the Chairperson, or in his/her absence the Vice-Chairperson, may elect to wait for up to thirty (30) minutes for a quorum. In no event will the meeting be held with any decision-making if a quorum is not present within thirty (30) minutes after the designated starting time.

SECTION 7: Rules of Order

All meetings will be governed by Robert's Rules of Order, unless otherwise agreed to by the majority of the members present.

SECTION 8: Meeting Rules

The Committee may from time to time enact Meeting Rules for the orderly and efficient conduct of Committee business that may limit speaker time for persons who wish to address the Committee. Any such Meeting Rules shall allow for Public Comment during the open session of all meetings.

SECTION 9: Review of Bylaws

Bylaws shall be reviewed every three (3) years.

ARTICLE IV

AD HOC COMMITTEES

SECTION 1: Establishment and Appointment

Ad Hoc Committees may be established and appointed by the Chairperson. The Chairperson, with the concurrence of the Committee, shall appoint the members and the chair of the Ad Hoc Committee(s). Regular, ex-officio, and non-members may be

appointed to the Ad Hoc Committee(s). Only appointed members of the Committee can vote on a decision to be presented to the Committee at large.

SECTION 2: Assignments

The Chairperson will define, in precise terms, the assignment to be completed, providing a definitive time frame for reporting to the Committee. The Ad Hoc Committee will be dissolved once the assignment is completed and a report is submitted for consideration to the Committee.

ARTICLE V

COMMITTEE RESPONSIBILITIES

SECTION 1: Responsibilities

The Committee shall perform the duties as stated in California Government Code section 12710 et seq. as follows:

- a. Select all grants for funding from each Individual Tribal Casino Account or County Tribal Casino Account.
- b. Ensure that the following uses shall be the priorities for the receipt of grant money from Individual Tribal Casino Accounts: law enforcement; fire services; emergency medical services; environmental impacts; water supplies; waste disposal; behavioral health; planning and adjacent land uses; public health; roads; recreation and youth programs; and child care programs.
- c. Establish all application policies and procedures for grants from the Individual Casino Account or County Tribal Casino Account.
- d. Assess the eligibility of applications for grants from local jurisdictions, within San Bernardino County, impacted by tribal gaming operations.
- e. Determine the appropriate amount for reimbursement, from the aggregate County tribal account, of the demonstrated costs incurred by the County for administering the grant programs.
- f. Submit to the State Controller a list of approved projects for funding from Individual Tribal Casino Accounts.

SECTION 2: Additional Duties and Responsibilities

The Committee shall perform additional duties and responsibilities as specified in the San Bernardino County Code and/or state laws.

ARTICLE VI

STANDARDS OF ETHICS AND CONDUCT

SECTION 1: County Policies

Committee members shall comply with the current policies approved by the Board of Supervisors.

SECTION 2: Responsibilities of Public Office

Individuals appointed to the Committee are agents of the public and serve for the benefit of the public. They shall uphold and act in accordance with the Constitution of the United States of America, the Constitution of the State of California, the San Bernardino County Code, and other rules, regulations, and policies of the County.

ARTICLE VII

AMENDMENT TO BYLAWS

SECTION 1: Adoption of Bylaws

The proposed Bylaws shall be circulated to the Committee, in writing, at least fifteen (15) days in advance of the meeting at which a vote may be called.

SECTION 2: Required Vote for Adoption

The Bylaws of the Committee shall be adopted if approved by a majority of the voting Committee members, and approved by the Board of Supervisors.

SECTION 3: Proposed Amendments

Proposed Bylaw amendments shall be circulated to the Committee, in writing, at least fifteen (15) days in advance of the meeting at which a vote may be called.

SECTION 4: Required Vote for Adoption of Amendments

The Bylaws of the Committee may be amended if approved by a majority of the voting Committee members and approved by the Board of Supervisors.

Attachment A as of March 4, 2004

Cities within Four Miles of San Bernardino County Tribal Casinos Contributing to the Special Distribution Fund

San Manuel Casino Bingo

- Highland
- Redlands
- San Bernardino